

**MEETING of the Ordinance Subcommittee of the Town Council held Thursday, September 1, 2005 at 4:10 P.M. in the Town Building, 105 Harrisville Main St., Harrisville, 02830**

**MEMBERS PRESENT: Councilors Margaret L. Dudley and Ronald E. Faford.**

**MEMBERS ABSENT: Councilor William A. Andrews was excused.**

**Councilor Ronald E. Faford called the meeting to order at 4:10 P.M.**

**1. VOTED to approve the minutes of the regular meeting of the Ordinance Subcommittee held on July 20, 2005; and dispense with the reading of said minutes.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the two members present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.**

**2. VOTED to open discussion and consideration related to amendments to §8-55. Class B and C license rules, regarding permissibility of serving alcoholic beverages on a deck or patio.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor**

**Ronald E. Faford. The vote was unanimous by the two members present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.**

**Discussion: Councilor Margaret L. Dudley commended Walter J. Kane, Town Solicitor, for preparing an ordinance that includes all items discussed at earlier meetings. Mr. Kane summarized the ordinance.**

**Michael C. Wood, Town Manager, asked for clarification of certain language, clarified that the 200' distance would be from the deck or patio rather than the property line and recommended that the proposal be amended to indicate that the purpose of the fence or hedge is to obstruct the view of the deck or patio from the neighbors. The subcommittee agreed with the recommendation. There was a discussion of the method of hearing of complaints.**

**Raymond Levesque of Croff Road, Pascoag, pointed out that, under the proposed ordinance, businesses in village commercial zones would not be eligible to serve alcohol on a deck or patio. Mr. Levesque spoke of the benefits of serving food and beverages on a deck or patio along the proposed Riverwalk and discussed that the Mad Dog Saloon, as well as prior owners of businesses at that location, had been serving on the deck for more than 20 years. Walter J. Kane, Town Solicitor, explained that the Subcommittee's position was that alcohol service on decks and patios should not be allowed**

**in areas where such service would create a nuisance to residents and confirmed that businesses in village commercial districts would not be eligible for this privilege.**

**VOTED to recommend to the Council as a whole passage of the proposed ordinance, with the amendment in section G on the intention of the fence to obstruct the view.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford.**

**Further Discussion: Walter J. Kane, Town Solicitor, requested that the clerk make the amendment, that a Councilor sign and have the proposed ordinance posted, and that the proposal be included on the next Council agenda for first reading and scheduling of a public hearing.**

**Michael C. Wood, Town Manager, asked whether the applicant would be charged additional administrative costs. Walter J. Kane, Town Solicitor, suggested that the cost of advertising and the usual liquor license fee would suffice.**

**The vote was unanimous by the two members present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.**

**3. VOTED to open discussion of the petition from Judy Zatonsky regarding her request for an amendment to the ordinances of the Town of Burrillville, Chapter 16, Article II – Noise §16-35.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the two members present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.**

**Discussion: Judy Zatonsky of 92 Mowry St. explained that there was a lot of construction in her neighborhood, that the process was very noisy, discussed the provisions of the current ordinance and asked that the Subcommittee consider amendments that would prohibit construction on Saturdays and limit work to forty hours per week. Ms. Zatonsky said that many of her neighbors had signed a petition requesting the amendment. Councilor Margaret L. Dudley pointed out that construction workers generally begin early in the day and that the earth removal would most likely be complete before the cold weather arrives. Walter J. Kane, Town Solicitor, suggested that construction work usually does not exceed 40 hours per week but that long days and Saturdays are usually necessary to make up for hours lost to inclement weather. Councilor Ronald E. Faford said that changing the ordinance would be difficult for the businesses which have to work when they are able and further limitations would result in higher costs. Councilor Faford pointed out that the noise would lessen when the earth removal is complete and the weather gets**

**colder. Michael C. Wood, Town Manager, proposed surveying other communities relative to their policy related to construction on Saturdays.**

**VOTED to table indefinitely.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the two members present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.**

**4. VOTED to open consideration and action on establishing minimum amounts of liability insurance to be required of all businesses licensed by the Town Council.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the two members present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.**

**Discussion: Walter J. Kane, Town Solicitor, reviewed the legislation that requires liability insurance for licensees and that the Town Council was authorized to increase by ordinance the minimum amount of insurance. Details of the issue were discussed.**

**VOTED to have Walter J. Kane, Town Solicitor, prepare and ordinance**

at \$500,000 to \$1,000,000 for the Town Council agenda for the next meeting.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the two members present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.

5. VOTED to open consideration and action on reestablishing the amount of dollar tax credits.

Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the two members present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.

Discussion: Michael C. Wood, Town Manager, suggested that the Subcommittee might like to review and perhaps adjust the amount of tax credits. Mr. Wood said that the legislation allowed for up to three percent of the tax levy and current tax credits are 2.48 percent. Mr. Wood said that there have been residents who have asked for an increase in the base amount. James R. Drew, Tax Assessor, distributed a report on the impact of tax credits (a copy is on file with the record of the meeting). Michael C. Wood, Town Manager, suggested that the administration could provide a report on the effect of making changes to the tax credit. Councilor Margaret L. Dudley

**opposed increasing the base amount but suggested that the sliding scale might be adjusted to provide tax credits for residents with income somewhat higher than \$30,000.**

**VOTED to table to the next meeting,**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the two members present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.**

**6. Review and discuss the items proposed for future meetings: there was no discussion.**

**7. Other business.**

**Discussion: It was noted that Col. Bernard E. Gagnon had recommended an amendment to the ordinances that would prohibit overnight parking at Mowry Park (Snizek property). There was a consensus that the Solicitor prepare a proposal for introduction at the next regular meeting of the Town Council.**

**8. VOTED to adjourn at 4:48 P.M.**

**Motion by Councilor Margaret L. Dudley. Seconded by Councilor Ronald E. Faford. The vote was unanimous by the two members**

**present. Voting in favor were Councilors Margaret L. Dudley and Ronald E. Faford. Councilor William A. Andrews was excused.**

**The meeting was taped. The tape is on file with the record of the meeting.**

**Louise R. Phaneuf, Town Clerk**